

AGN. NO. \_\_\_\_\_

MOTION BY SUPERVISOR DON KNABE

May 31, 2011

Senate Bill 9 (Yee) would amend Section 1170 of the Penal Code, relating to sentencing. The Bill would authorize an inmate who was under 18 years of age at the time of committing an offense for which the inmate was sentenced to life without the possibility of parole (LWOP) to submit a petition to the court for recall and resentencing.

The Bill is retroactive, and staggers the filing dates for eligible inmates to petition the court, in addition to establishing certain criteria that must be met in order to hold a hearing. The Bill provides that a new sentence, if any, shall not be greater than the initial sentence.

This Bill, egregiously, gives those who have been convicted of heinous murder in our State the privilege of an extraordinary, streamlined, special opportunity to have their sentence reduced, simply because they were younger than 18 years of age when they committed the crime. This special courtesy is more than was afforded, or will ever be

( M O R E )

MOTION

MOLINA \_\_\_\_\_

RIDLEY-THOMAS \_\_\_\_\_

YAROSLAVSKY \_\_\_\_\_

KNABE \_\_\_\_\_

ANTONOVICH \_\_\_\_\_

afforded, to their victims and those victims' families. This Bill would result in families who have had to deal with the tragic murder of loved ones to once again participate in court proceedings to relive the agony and stress of their loss, despite the previous conviction and sentencing.

Senate Bill 9 would also unnecessarily increase court workload and backlog, and bolster a need for increased revenue, during a time when both the State and local governments are having to make difficult decisions concerning their budgets.

I, THEREFORE, MOVE that the Board of Supervisors instruct our County Legislative advocates to oppose Senate Bill 9 (Yee).

RV:azr

# # #